

Appl. No. : 09/251,218
Filed : February 16, 1999

transmitting a definition of a product display screen from said data center to said buyer terminal, said product display screen includes a product presentation;

receiving a request to change said product presentation, said request comprising user-selected alterations of physical product exterior/interior options; and

modifying said definition of said product display screen according to said request to change said product presentation, said modifications comprising said user-selected alterations of physical product exterior/interior options.

96 [Please amend Claim 66 as set forth below:]

66. A product configuration viewer apparatus comprising:

means for providing at least one three-dimensional representation of a product capable of illustrating multiple perspective views of said product by rotating said three-dimensional representation of the product;

means for transmitting a definition of a product display screen to a buyer terminal, said product display screen includes a product presentation;

means for receiving a request to change said product presentation, said request comprising user-selected alterations of physical product exterior/interior options; and

means for modifying said definition of said product display screen according to said request to change said product presentation, said modifications comprising said user-selected alterations of physical product exterior/interior options.

REMARKS:

Objection to Specification

The title has been amended in accordance with the Examiner's suggestion.

Claim Rejections

The Examiner has rejected Claims 1-66 under 35 U.S.C. Section 103(a) as unpatentable over Kenney in view of Burke and Foley et al. With this paper, each of the independent claims

Appl. No. : 09/251,218
Filed : February 16, 1999

has been amended to recite that the display comprises "user-selected alterations of physical product exterior/interior options." Support for the amendments may be found, among other locations, at page 31, lines 19-22 of the specification as filed. In an automotive sales embodiment, for example, the shopper may select display of the product with a number of physical exterior and interior vehicle options, accessories and characteristics, such as color, trim, grill guard, upgraded stereo system, roof rack, hood protector, etc. Therefore, this system is much more than merely a walk through a virtual showroom containing unalterable products, but is instead a system where the products for purchase can be altered at the shopper's discretion based on considerations such as individual desires, preferences and budget constraints.

In the system of Kenney, a shopper can browse through a virtual duplicate of an actual store and observe, inspect and select from among the displayed products. Kenney does not teach or suggest that the displayed products can be altered to include or remove physical product exterior/interior options to allow the shopper to view the products in differing optional package configurations, whereby the shopper utilizes the displayed product alterations to influence the purchasing decision. The system in Kenney involves only unalterable product display with no product configuration options to increase the shopper's likelihood of making purchases. In essence, the Kenney system teaches or suggests merely an online virtual shopping experience whereby the shoppers walk down aisles while viewing and selecting static product presentations from the shelves for purchase. Thus Kenney teaches or suggests a system that duplicates as nearly as possible the traditional in-store shopping experience using an on-line computer, and teaches away from user-selected physical alterations of products. The applicant respectfully submits that the system and method of including alteration and display of numerous physical product exterior/interior options would not have been obvious to one of ordinary skill in the art at the time the invention was made based on Kenney, Burkes and Foley.

All of the remaining claims are dependent either directly or indirectly on one of the above-discussed independent claims. Accordingly, it is respectfully submitted that these claims are also in condition for allowance for at least the same reasons.

In the rejections of several dependent claims, the Examiner has relied upon an Official Notice that certain display techniques are well known. In many cases, it is not clear what exactly is being asserted to be well known. For example, the Examiner states that "altering color to

Appl. No. : 09/251,218
Filed : February 16, 1999

object is old and well known.” If this is intended to mean only that it is well known to produce or sell products in a variety of colors, the applicant agrees. However, if this statement is intended to mean that it is old to alter the color of a displayed object in an on-line shopping environment, the applicant respectfully submits that this is not well known, and requests that the Examiner provide prior art in support of this assertion. Other specific examples are “offering Internet shoppers with visual presentation from single product to multiple products,” “changing presentation of product from single product to plurality of products or vice versa,” “presenting product and sub-product (i.e. interior of a product),” and “presenting product and sub-product for shoppers (i.e. interior of a product)”.

The ambiguity of these statements makes it impossible for the applicant to determine exactly what the Examiner considers to be well known and not requiring explicit support in prior art documents. This fact in turn makes it impossible for the applicant to assess the obviousness of the combinations of prior art being made by the Examiner in support of the claim rejections. To the extent they are understood, the applicant respectfully submits that none of these features are well known. For these reasons, and to avoid having these statements become accepted or admitted prior art as set forth in M.P.E.P. 2144.03, the applicant respectfully requests that the Examiner produce prior art in support of these assertions if they are to be relied upon in a future Office Action.

CONCLUSION

The applicant has endeavored to address all of the Examiner’s concerns as expressed in the outstanding Office Action. Accordingly, amendments to the claims, the reasons therefore, and arguments in support of the patentability of the pending claim set are presented above. Any claim amendments which are not specifically discussed in the above remarks are made in order to improve the clarity of claim language, to correct grammatical mistakes or ambiguities, and to otherwise improve the capacity of the claims to particularly and distinctly point out the invention to those of skill in the art. In light of the above amendments and remarks, reconsideration and withdrawal of the outstanding rejections is respectfully requested. If the Examiner has any questions which may be answered by telephone, he is invited to call the undersigned directly.

Appl. No. : 09/251,218
Filed : February 16, 1999

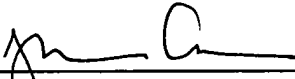


Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 12/7/00

By: 
Thomas R. Arno
Registration No. 40,490
Attorney of Record
620 Newport Center Drive
Sixteenth Floor
Newport Beach, CA 92660
(619) 235-8550

S:\DOCS\DKW\DKW-1005.DOC:gem
113000

RECEIVED
DEC 20 2000
Technology Center 2100